

**Waterfront Advisory Committee
Minutes for the Meeting of
May 25, 2016**

Present: Charlie Kane, Chairman
Bob Anderson
Bruce Kauderer

Also present: Daniel O'Connor, Village Engineer

1. Call to Order

Chairman Kane called the meeting to order at 5:00 p.m.

2. REFERRALS

- a) *Bell Family Trust -- 175 Old Post Road North (Sec 67.15 Blk. 1 Lot 8) -- Referral from the Planning Board on the application for preliminary subdivision approval for a three lot subdivision -- consistency review.*

Mr. Ron Wegner, P.E., was present and gave an overview of the proposed three lot subdivision. The issues presented are incorporated in the LWRP 44 policies review.

In a review of the SEAF, it was determined that there are no changes or revisions.
In a review of the CAF, it was determined that there are no changes or revisions.

In a review of the 44 policies of the LWRP, the following policies were identified as applicable consistent with the proposed three lot subdivision:

POLICY 5: *Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.*

POLICY 5A: *When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.*

These policies are applicable to the proposed subdivision application because existing water supply service and extensions and sewer lines are proposed to be installed in addition to the provision of utility easements. Mr. Wegner explained that the water supply for Lot 1 shall continue to be the existing service from Old Post Road North. He is proposing a public water main extension to provide water supply to Lots 2 and 3 from the existing hydrant on the east end of Finney Farm Road to the corner of the subject property site. An easement shall be provided over Lot 3 to serve Lot 2 to allow the installation of a water service from the proposed water main extension to the Lot 2 residence.

Mr. Wegner also explained that a public sewer extension is being proposed from the existing village manhole in Old Post Road North to approximately 300 feet into the site where the project property abuts the Finney Farm Road Right of Way. He noted that should a future connection from Finney Farm be desired, appropriate easements shall be established to allow this connection.

POLICY 7F: *Construction activity of any kind must not cause a measurable increase in erosion or flooding at the site of such activity, or impact other locations. Construction activity shall be timed so that spawning of anadromous fish species and shellfish will not be adversely affected.*

This policy is applicable to the proposed subdivision application because there is a proposal for construction of one new house on the third lot of the subdivision. Construction activity will include installation of new sewer lines new water mains, a new driveway and therefore require implementation of erosion mitigation measures and stormwater management systems.

POLICY 11: *Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.*

POLICY 11A: *Erosion and sediment control measures shall be undertaken in order to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.*

These policies are applicable to the proposed subdivision because there is a proposal for new construction of one structure on the third lot of the subdivision. The proposed subdivision is consistent with this policy because mitigation efforts will be utilized for erosion and sediment control. The proposed driveway's width has been increased so that it adheres to the New York State Fire Code in order effectively allow emergency vehicles to reach the existing structures and the proposed new construction.

Existing ground cover will be removed from the site for the creation of one new single family residence. Ground cover removal will be minimized and mitigated by means of appropriate erosion controls during construction and through the use of a properly sized stormwater mitigation system following construction.

POLICY 19A: *Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority will be given to public beaches, boating facilities, fishing areas and waterfront parks.*

This policy is applicable to the proposed subdivision because there is the possibility of creating a walking trail which might potentially link Albany Post Road to Finney Farm Road. The local trail loop along the north and east side of the subject property was cited by the Trails Committee as a positive addition to the village's walking trails.

In the SEAF, the DEC mapper indicated that the subject property was in an archaeologically sensitive area and subsequent construction may have a possible impact to archaeological resources. Mr. Wegner stated that he will follow up and reach out to the New York State Parks Office of Recreation and Historic Preservation for any information as to why the site included is an area mapped as archaeologically sensitive and also reach out to the Village of Croton Historical Society for any information on the property that they may have.

The WAC recommended that the Planning Board require the applicant to provide sufficient information on archaeological resources that may or may not be on the site to determine if the proposed construction will have any significant effect on these resources.

Based on the the initial documentation submitted to the Planning Board, the WAC recommended that a determination should be made if a Stage 1A Cultural Resources Study should be required to provide additional documentation to be used in determining if there will be any significant impacts to archaeological resources.

POLICY 33: Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

POLICY 33A: Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems to that runoff from such developments does not adversely impact coastal waters.

These policies are applicable to the proposed subdivision because of the potential for increased runoff due to the proposed development. Storm water runoff will be directed from the proposed development to stormwater management systems then to an established watercourse with eventual discharge to the Hudson River. Stormwater infiltration practices are proposed to capture and treat stormwater from proposed impervious surfaces of development and to mitigate the increase in runoff from the site expected during the 100 year rainfall event.

POLICY 37: Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

POLICY 37A: Standards and specifications for the control of non-point source discharge as set forth in Westchester county's Best Management Practice Manual or other recognized reference shall be utilized during development of any site.

These policies are applicable to the proposed subdivision because Best Management Practices for erosion and sediment control will need to be utilized during construction of the new house on

Lot 3. Mr. Wegner stated that Best Management Practices will be utilized for erosion and sediment control, such as temporary stabilization (seed and mulch or approved equivalent), and that the litter observed on the site visit will be cleaned up.

POLICY 44: *Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

POLICY 44A: *Wetlands, waterbodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.*

These policies are applicable to the proposed subdivision because a wetlands permit is required for the disturbance to the watercourse buffer zone while making driveway improvements in the proposed area and installing utilities such as a new water main and sewer lines. The application was referred to the Water Control Commission for its review of the wetlands permit. In a memo dated May 19, 2016, the Water Control Commission was unanimous in its recommendations to the Planning Board on its issuance of the wetlands permit subject to the recommendations outlined in the memo.

3. APPROVAL OF MINUTES

Mr. Anderson made a motion to approve the minutes of April 5, 2016, seconded by Mr. Kauderer, and carried in favor, by a vote of 3-0.

4. ADJOURNMENT

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Waterfront Advisory Committee